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Jin Wu and Chang Zhang

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Jin Wu and Chang Zhang) Case No. C 07-3118 PVT
Plaintiffs,)
v.)
Alberto Gonzales, United States Attorney)
General, U.S. Department of Justice;) Date: February 12, 2008
Michael Chertoff, Secretary of the Department) Time: 10:00 AM
of Homeland Security,) Judge: Hon. Patricia V. Trumbull
Emilio T. Gonzalez, Director of United States)
Citizenship and Immigration Services,)
Defendants.)

)

The Court finds that the Defendants have a clear, non-discretionary duty to adjudicate Plaintiffs' I-485 within a reasonable time under both the Mandamus and Administrative Procedures Acts. This Court further finds that over two and a half years is an unreasonable length of time as a matter of law for the adjudication of an I-485, *Application to Register Permanent Residence or Adjust Status*.

Plaintiffs' Proposed Order for Summary Judgment
Case No. C 07-3118 PVT

1 Accordingly, it is hereby ORDERED that:

- 2 1. Plaintiffs' Motion for Summary Judgment is GRANTED.
- 3 2. Defendants' Motion for Summary Judgment is DENIED.
- 4 3. Defendants shall adjudicate Plaintiffs' I-485 applications forthwith, and complete
- 5 adjudication within 60 days of this order.
- 6 4. The Court shall retain jurisdiction over this matter for a period of 120 days to ensure
- 7 compliance with this order.

8 This case is CLOSED. IT IS SO ORDERED

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11 Dated:

12 _____
13 Patricia V. Trumbull
14 United States Magistrate Judge

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